

Practitioner's Docket No. 1247/A77

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: McKinney et al.

Application No.: 10/037,129 Group No.: 2186
 Filed: 1/4/2002 Examiner: Tran, D.
 For: High Availability Super Servers

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JUL 14 2004

Technology Center 2100

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

AMENDMENT, PETITION AND FEE FOR EXTENSION OF TIME
 TO MAINTAIN PARENT CASE THAT IS TO BE ABANDONED
 WHEN FILING NEW APPLICATION CLAIMING ITS BENEFIT

1. The amendment in this case is a *bona fide* attempt by applicant to respond and to advance this application to final action. It comprises a separately filed continuation application.

A copy of this amendment and petition is being filed with the papers constituting the filing of the separately filed application.

CERTIFICATION UNDER 37 C.F.R. SECTION 1.10*

(Express Mail label number is mandatory.)

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I hereby certify that this paper is being deposited with the United States Postal Service on this date July 7, 2004 ^{att} in an envelope as "Express Mail Post Office to Addressee," Mailing Label Number EV 40127885 ^{att} US, addressed to the: Commissioner for Patents, Washington, D.C. 20231.

Alexander J. Smolenski

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(Amendment, Petition and Fee for Extension of Time to Maintain Parent Case That Is To Be Abandoned When Filing Application Claiming Its Benefit--page 1 of 3)

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2. This is a petition under 37 C.F.R. section 1.136(a) for an extension of time to respond to the Office Action mailed

January 7, 2004

3. Please abandon this application conditioned upon the granting of the petition and the granting of a filing date to the continuing application, so as to make the continuing application copending with this application. (*Notice of May 13, 1983, 1031 O.G. 11-12*).

4. Applicant is a **Large** entity.

The statement has already been filed in the parent application. This status is still proper and its benefit under 37 C.F.R. section 1.28(a) is hereby claimed.

5. Extension requested

The proceedings herein are for a patent application and the provisions of 37 C.F.R. section 1.136 apply.

Applicant petitions for an extension of three months time under 37 C.F.R. section 1.136(a).

(fees: 37 C.F.R. section 1.17(a)(1)-(4)).

Fee: **\$950.00**

If an additional extension of time is required, please consider this a petition therefor.

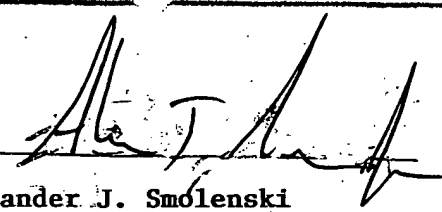
6. Fee Payment

Please Charge the Fee of \$950.00 to Account NO. 19-4792.

7. Fee Deficiency

If any additional extension and/or fee is required, charge Account No. 19-4972.

Date: July 7, 2004



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